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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
RAMAN, USHA	

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/841,327	WITTEMAN, BRADLEY JAMES	
	Examiner	Art Unit	
	Usha Raman	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *19-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12-27-05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed December 27th, 2005 have been fully considered but they are not persuasive.

Applicant argues that, "Brodsky performs search in a database and not in a multimedia signal", and that, "even though he teaches extracting items from a signal, it is not the same as searching within the signal". The examiner respectfully disagrees. Brodsky teaches the step of extracting items from imbedded parts of the received signal, in order to build a dynamic dictionary that is used to match a user's search request. Applicant's own system also discloses the step of extracting closed-captioned information prior to "recognizing" and subsequently servicing the user's request. See disclosure, page 7, lines 12-14. Therefore, applicant's system discloses the step of extracting a portion of the incoming signal, prior to recognizing a request, similar to what is disclosed by Brodsky. Furthermore, the examiner would also like to note that the claim limitations recite "analyzing the first data format component of the multimedia signal to identify the occurrences of the search parameter", wherein Brodsky meets this limitation by "analyzing the extracted closed caption data (i.e. first data format component of the multimedia signal) to identify the occurrences of the user's search request". See Brodsky, column 4, lines 62-67, and column 5, lines 37-40. The claim does not recite the limitation of "performing a search in a multimedia signal".

Additionally, the examiner would also like to note that, the multimedia signal, as applied by the examiner, includes the all forms of multimedia signal presented

(incoming and locally generated) to the user on the multimedia system 100, wherein the multimedia signal includes various components presented to the user.

Applicant's arguments stating, that" Brodsky's retrieved additional information does not meet the claimed second data format component because it is not part of the multimedia signal" and that, "Brodsky's multimedia signal and retrieved signal each originate from different sources and reach display 108 through completely distinct paths" have been noted. The examiner however respectfully disagrees. As stated above, multimedia signal in the system of Brodsky, includes multimedia signal presented to the user on the multimedia system 100, wherein Brodsky's multimedia signal meets the limitation of "includes a first data format component (i.e. extracted closed caption data for matching a user request), and further includes a "second data format component (i.e. retrieved additional information that satisfies the user's search request). Applicant's arguments seem to be based on the applicant's assumption/interpretation that the term multimedia signal only applies to the received input stream, which is not recited in the claim language.

As a result, the examiner maintains rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international

application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19-32, 35-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Brodsky (US Pat. 5,809,471).

In regard to claim 19, Brodsky discloses a method for searching in a multimedia signal (see Brodsky: column 1, lines 50-56, lines 60-62), wherein the multimedia signal includes at least a first data format component (extracted closed captioned text) and a second data format component (retrieved additional information; see Brodsky: column 1, lines 66-67, column 2, lines 20-23, column 3, lines 17-21), the method comprising:

Receiving a search parameter (see Brodsky: column 2, lines 5-9);

Analyzing the first data format component of the multimedia signal to identify the occurrences of the search parameter (see column 2, lines 25-27, lines 30-32, lines 60-62); and

For at least one occurrence of the search parameter in the first data component, presenting a corresponding second data format segment of the multimedia signal (see column 2, lines 35-39, column 3, lines 33-36).

In regards to claim 20, the first data format component is a closed caption component (see column 2, lines 20-23, column 5, lines 36-37), and wherein the second data format is an audio component (see column 4, lines 19-23).

In regard to claim 21, t the corresponding second data format segment is a section of the audio component that begins and ends within a predetermined period of time (i.e. a search is created on the recently received portion; column 4, lines 27-

30) before and after the occurrence of the search parameter in the closed caption component (see column 3, lines 52-56, lines 60-67 and column 4, lines 1-3).

In regards to claim 22, the first data format component is a closed caption component (see column 2, lines 20-23, column 5, lines 36-37) and wherein the second data format component is a video component (see column 4, lines 19-23).

In regards to claim 23, the corresponding second data format segment is a section of the video component that begins and ends within a predetermined period of time before and after the occurrence of the search parameter in the closed caption component (see column 3, lines 52-56, lines 60-67 and column 4, lines 1-3, lines 27-30).

In regards to claim 24, the corresponding second data format segment is a still image from the video component (still image is anticipated by the scope of selective picture) that is present at the occurrence of the search parameter in the closed caption component (see column 3, lines 34-37).

In regards to claim 25, the first data format component is an audio component and the second data format component is a video component (see column 3, lines 56-58; column 4, lines 19-23).

In regards to claim 26, the formats of the first data format component and the second data format component are selected from the group consisting of: text data; closed caption data; audio data; speech data; video data (see column 4, lines 19-23)

In regards to claim 27, the step of receiving a search parameter further comprises receiving the search parameter in a third data format (i.e. spoken words,

voice format; see column 6, lines 24-26); and converting the search parameter from the third format to the first format (using voice recognition technique inherently involves converting the input voice signal into another format; see column 4, lines 62-67 and column 5, lines 1-3).

In regards to claim 28, the format of the third data format component and the first data format component are selected from the group consisting of: text data; closed caption data; audio data; speech data; video data; (see column 4, lines 19-23)

In regards to claim 29, Brodsky discloses the method for processing data in a multimedia signal (see column 1, lines 50-56, lines 60-62), comprising:

Analyzing a first data format component of the multimedia signal to identify the occurrences of a search parameter (see column 2, lines 25-27, lines 30-32, lines 60-62);

For at least one occurrence of the search parameter in the first data component, identifying a corresponding segment of a second data format component in the multimedia signal (see column 2, lines 35-39, column 3, lines 33-36);

In regards to claim 30, the second data format component is a video component (see column 4, lines 19-23); the method further comprising the step of displaying the segment of the video component to the user (see column 3, lines 34-37);

In regards to claim 31, the segment of the video component is a single image (still image is anticipated by the scope of selective picture; see column 3, lines 34-37).

In regards to claim 32, the segment of the video component is a video clip of predetermined length (i.e. recently received portion) that corresponds to an occurrence of the search parameter in the first data component; see column 4, lines 27-30, column 3, lines 52-56, lines 60-67 and column 4, lines 1-3.

In regards to claim 35, the first data format component is a text component (see column 2, lines 20-23, column 5, lines 36-37) and the method further comprises the steps of:

Receiving the search parameter in an audio format (see column 6, lines 24-26); and Converting the search parameter to a text data format prior to analyzing the multimedia signal (see column 4, lines 62-67 and column 5, lines 1-3).

In regards to claim 36, the voice recognition performs the converting step converting step using a speech to text converter since the first data format is a text component (see column 5, lines 37-38) and the search parameter is in audio format (see column 6, lines 24-26).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodsky (US Pat. 5,809,471).

In regard to claim 33, Brodsky discloses that the first data format component is an audio component (see column 4, lines 18-22) and further comprises various forms of search request, including selection from a visual menu.

Brodsky does not disclose that the selection from a visual menu can be in a text format.

Examiner takes official notice that a search request generated by selection from a visual menu can be in text format.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system by requesting a search in a text format; and further converting the search parameter to the data format of the first data (i.e. audio data) in order to analyze the multimedia signal. The motivation to use a text format search is to allow the user to select various words that maybe present in closed captions.

In regards to claim 34, the modified system converts text data into audio data using a text to speech converter.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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